

WADENA COUNTY BOARD OF COMMISSIONERS MEETING
MARCH 3, 2009/9:00 A.M.

The Wadena County Board of Commissioners Meeting was held on Tuesday, March 3, 2009, at the Wadena County Courthouse in the Commissioners Room at 415 Jefferson St. S., Wadena Minnesota. The meeting was called to order at 9:00 a.m. by Chairman Dave Schermerhorn and the pledge of allegiance to the flag was said.

Also present: Commissioners Lane Waldahl, Rodney Bounds, William Stearns, Ralph Miller, and Auditor/Treasurer Char West.

Motion by Miller, seconded by Stearns, to amend the day's Agenda to include Kris Huebsch, 4-H Coordinator, at 11:00 a.m., to move Shawn Larson, Morris Electronics from 9:30 a.m. to 10:00 a.m., h.) Thank you to Wadena County Election Judges, motion carried.

Motion by Stearns, seconded by Miller, to approve the Board Meeting Minutes of February 19, 2009, as presented, motion carried.

Karen Nelson, Public Health Director, came to the Board for approval of the amended Family Services Collaborative Joint Powers Agreement for Wadena County. She distributed a copy of the amended Agreement pointing out that the main changes were regarding language over liability and the Agreement would change to three years from ten years in length.

Motion by Waldahl, seconded by Bounds, to authorize the Chair of the County Board to sign, upon approval of the Family Services Collaborative Board of Directors, the Amended Family Services Collaborative Joint Powers Agreement for Wadena County on behalf of the County Board delegates for Public Health, Social Services and Community Corrections effective January 1, 2009, motion carried.

Ms. Nelson distributed to the Board the Public Health Advisory Minutes of February 12, 2009, for their information

Motion by Stearns, seconded by Bounds, to approve the renewal Application for Retailer's On-Sale, Off-Sale 3.2 Percent Malt Liquor License submitted by John and Sharon Long for Wahoo Valley Bar & Grill, motion carried.

Motion by Waldahl, seconded Miller, to replenish the Courthouse Postage Meter in the amount of \$5,000, motion carried.

Commissioner Bounds requested there be a Committee set up to discuss guidelines as the Board had just gone through a Zoning issue that would be fresh in their minds. He added that he would like someone from Zoning, Soil and Water Conservation District (SWCD), one or two Commissioners and someone from the public to meet and review guidelines and see what should be addressed.

Chairman Schermerhorn stated that he felt this would be a good idea and questioned whether he would be willing to serve on the Committee and whether someone from the SWCD should also be on the Committee.

Commissioner Bounds responded that he would be willing to serve on the Committee and agreed that someone from the SWCD should also be in attendance.

Commissioner Stearns questioned whether the purpose of the Committee was to review the County's Comprehensive Plan.

Commissioner Bound responded that it was not; it would be looking at issues that were not being addressed, such as manure removal, as there was not criteria on when it had to be done, etc. He commented that he felt both offices were not coordinating together and that Commissioner Miller had probably research this and could recap more.

Commissioner Miller stated that there was the example of the cart getting in front of the horse on the Conditional Use Permit application by the Olsson's. He added that, as stated by the Zoning Director, this was due to the apparent excess number of cattle on the lot at the time of the application and the February 3, 2009 Board Meeting; that was the reason for the Conditional Use Permit, to put the Olsson's in Compliance. Commissioner Miller stated that it seemed to be backwards and it made him uncomfortable voting for that particular Conditional Use Permit. Committee Miller added that feedlots were supposedly checked every four years and that every four hours those numbers could change drastically; there should be a way to report numbers of cattle if they change on a daily basis.

Chairman Schermerhorn questioned Commissioner Miller if he would also be willing to serve on a Committee.

Commissioner Miller responded that he would serve on the Committee.

Commissioner Waldahl stated that maybe the liaison should meet with the SWCD and Zoning Office first to go over all the procedures, rules and regulations that Commissioner Bounds and Commission Miller had concerns about; then go to a bigger Committee which would involve Commissioner Bounds as liaison to Zoning and Commissioner Stearns as liaison to the SWCD.

Commissioner Bounds stated that he was in agreement with meeting as a liaison to Zoning and then report back to the Board.

Commissioner Stearns advised that the Annual Feedlot Meeting would be held on March 5th at the Wadena VFW which would involve the feedlot owners and the SWCD. He suggested Commissioner Bounds and himself attend since it was an open meeting.

It was suggested that Commissioner Miller attend also since it was an open meeting, however it was pointed out that if three or more Commissioners attended it needed to be set as a Special

Board Meeting due to the open meeting law.

Commissioner Miller commented it depended on the topic and the involvement of discussion as to whether a Special Board Meeting needed to be set. He added that he just wanted to see that his concerns were addressed and the best place to do that was in the presence of the feedlot owners.

Further discussion was held regarding the Open Meeting Law.

Motion by Stearns, seconded by Miller, to set a Special Meeting of the Wadena County Commissioners for 10:00 a.m. March 5, 2009, at the Wadena VFW for the purpose of attending the Annual Wadena County Feedlot Meeting, motion carried.

Joel Ulring, Highway Engineer, presented the Board with an agenda. He requested Board approval of Amendment I for the paving of the gravel road crossings over the BNSF Rail Road tracks as part of the upcoming Mn/DOT resurfacing project on Highway 10 between Wadena and Staples, pointing out that the Amendment would adjust the work quantity from five to four crossings. Mr. Ulring added that the Project was eligible for Federal Stimulus Funding so the previous Agreement between Wadena Township and Wadena County, committing \$10,000 each, could be dissolved which would be a savings to both the Township and County.

RESOLUTION

Commissioner Waldahl offered the following resolution and moved for its adoption:

IT IS RESOLVED that Wadena Count enter into Mn/DOT Agreement No. 93361-R with the State of Minnesota, Department of Transportation for the following purposes.

To provide for a lump sum payment by the County to the State of the County's share of the costs of the grading and paving of various road approach construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 10 from the end of the four lane east of Wadena to the west limits of Motley under State Project No. 7702-44 (T.H. 10=002).

IT IS FURTHER RESOLVED that the BOARD CHAIRMAN and the AUDITOR/TREASURER are authorized to execute the Agreement and any amendments of the Agreement.

Commissioner Stearns second the motion and the same carried.

Adopted at Wadena, Minnesota.

Attest: _____
Charleen West, Auditor/Treasurer

Dave Schermerhorn, Chairman

Motion by Waldahl, seconded by Stearns, to dissolve the previous Agreement for cost sharing between Wadena County and Wadena Township for the paving of the gravel road crossings over

the BNSF Railroad tracks, motion carried.

Mr. Ulring requested approval of a Resolution authorizing the Highway Department to acquire right-of-way for the replacement of Bridge No. 269 on CSAH 2, which was also funded by the Federal Stimulus Act.

RESOLUTION

Commissioner Stearns offered the following resolution and moved for its adoption:

WHEREAS: The County Engineer is developing plans and specifications for the reconstruction of the following road:

CSAH 2, S.P. 80-602-08 on CSAH 2 at the Partridge River, Bridge #269

WHEREAS: Additional right-of-way and/or temporary easements are needed to provide uniform grades, inslopes, recovery area, ditch bottoms and backslopes for said highway.

NOW THEREFORE BE IT RESOLVED: That the Wadena County Board of Commissioners do hereby authorize the County Highway Engineer to acquire through direct negotiations the right-of-the way and temporary easements necessary to construct S.P. 80-602-08.

Commissioner Bounds second the motion and the same carried.

Adopted at Wadena, Minnesota.

Attest: _____
Charleen West, Auditor - Treasurer

Dave Schermerhorn, Chairman

Mr. Ulring informed the Board of the resignation of John Schornack, Signman/Maintenance Worker. He stated that the duties of the position had temporarily been reassigned to others until a replacement could be hired. Mr. Ulring informed the Board that since the position involved snow plowing responsibilities, he would delay requesting a replacement for the position until later in the summer allowing time for the position responsibilities to be assessed.

Commissioner Bounds stated that since so many employees had been added, wouldn't this be a good place to start not filling positions.

Mr. Ulring responded that was part of the reason for reviewing the position duties. He cautioned the elimination of the position at this point as the Department was at their minimum of the number of employees for snow plowing.

Commissioner Bounds pointed out that the County had turned back a number of miles to the Townships. He questioned when the roads would be turned back to the townships.

Mr. Ullring responded Thomastown Township had elected to contract for the two year maintenance period and were maintaining their roads but the County was maintaining the Shell River Township roads for two years. He added that the County had not significantly reduced the number of mileage, at this point, to make a cut in staff.

Motion by Waldahl, seconded by Stearns, to accept with regret the resignation of John Schornack, Signman/Maintenance Worker, Highway Department as of March 6, 2009, motion carried.

Mr. Ullring informed the Board that the City of Staples had requested a letter of support of their application for Mn/DOT Trail Funds; there would not be County funding involved. He added that the Project was entirely in Wadena County with a portion of it running along the west side of CSAH 30 outside the road right-of-way on city airport property. Mr. Ullring pointed out that he had responded to the request for a letter of support.

Mr. Ullring requested approval by the Board for the purchase of a new shouldering machine, which was in need of replacement, with a possible delivery date prior to June 1st. He added that the machine was used to maintain the gravel shoulders of over 200 miles of paved roads and that funds in the amount of \$215,000 had been set aside in the 2009 Budget for equipment purchases.

Mr. Ullring reviewed the four options he had considered:

- Option #1 Motor grader mounted machine which required an operator on the machine as well as on the motor grader - \$70,000, including tax.
- Option #2 Self-propelled self-contained machine - \$120,000, including tax.
- Option #3 Purchase a machine over time; the supplier was open to this, with outside financing at a rate of 5.5% over five years, for the same machine – \$137,000 including tax.
- Option #4 Contractors had machines; the Department did end up renting for a short time the previous year when the old machine broke down. Problem: the contractor did not want to rent the machine without an operator on hand. No contractor was willing to commit at this point.

Chairman Schermerhorn questioned whether the old machine had any trade in value.

Mr. Ullring responded he was told it basically was scrap iron. He added that he had researched a 5th Option.

- Option #5 Possibility of sharing with another County; Wadena and other counties would lease with a 5-Year lease commitment with the company. The counties were interested but not the equipment supplier.

Mr. Ullring stated that he would like to order now as the Department needed it in June and if it was ordered within a week or two, delivery could be expected in May.

Commissioner Miller commented in reference to Options #4 and #5, how did they charge for leasing or renting. He also questioned what level of expertise was needed to operate the machine. Commissioner Miller referred to Option #5 with two or three other counties involved, would

there be a joint lease agreement or would one county be responsible

Mr. Ullring responded that that they never got to that point due to the fact that the vendor was not interested. He added that the operator needed to be a motor grader qualified person or someone familiar with a loader or heavy equipment. Mr. Ullring also added that each county would have had an individual lease with the supplier.

Chairman Schermerhorn stated that it appeared to be only three options to consider.

Commissioner Waldahl clarified with Mr. Ullring that shouldering was done every year. He questioned whether he had looked into contracting with Waln Construction or Tabery Construction, to see what the cost would be for them to do it.

Mr. Ullring responded that the Department did so many miles per year. He added that scheduling with a contractor would be a problem due to their work load in the summer.

Commissioner Waldahl stated that the Stimulus Package was trying to put people to work and that if a contractor had a shouldering machine, could the County rent them to do the work.

Mike Gibson, HR Consultant, questioned whether Wadena County could get a commitment from other counties and Wadena County purchase the machine and then lease it to other counties.

Mr. Ullring responded that Todd County had expressed an interest in leasing the machine from Wadena County but this could not be guaranteed revenue.

Mr. Gibson stated that would need to involve a contract.

Commissioner Stearns pointed out that if too many counties were involved everyone would need to use it at the same time. He questioned whether Todd County might be willing to purchase a machine with Wadena County.

Mr. Ullring stated that typically the Department did shouldering for about four weeks during the summer; only about two or three counties could be involved with a piece of equipment like this. He added that he felt purchasing the machine together would be difficult due to the fact of who would keep the machine and who would maintain it.

Commissioner Waldahl stated that he would like to see the difference between local contractors and their charges.

Commissioner Bounds questioned whether the purchase of the machine could wait until the next Board Meeting and still give Mr. Ullring time to order.

Mr. Ullring responded that he felt it would provide enough time to order.

Chairman Schermerhorn advised the Board that a decision on the purchase of a shouldering

machine would be tabled until the March 19th Board Meeting at which time Mr. Uring will have had time to contact the local contractors.

Mr. Uring referred to a Letter of Offer received from Mike and Sallie Mahlen, owners of the Quest Building. He stated that the Mahlen's offered to sell the building for \$120,000 as a lease/purchase agreement at \$1,000 per month either at 5 years with a \$60,000 balloon payment or \$1,000 a month for 10 years with a final payment of \$36,000, with zero percent interest. Mr. Uring pointed out that if there were a 5% interest charge on 5 years it would be \$26,000 and 10 years it would be \$32,700. He stated that the Mahlen's offer was good until May 1, 2009.

Commissioner Bounds stated that due to the financial situation of the County he was not in favor of the purchase.

Commissioner Stearns commented that he felt the Board should study the offer due to the central motor pool concept that had been discussed for several years as well as the set up of a shop for all County vehicles. He added that perhaps the Building Services Committee should do the research and then check the budget relating to shop charges, mechanic salaries, etc., which totals quite a bit every year. Commissioner Stearns stated that if the County would outsource the work why would the County pay for a mechanic or a shop; did the County need a mechanic and a proper shop or should the County outsource everything. He added that there were several issues that needed to be studied and explored.

Commissioner Miller stated that the cost of a mechanic could possibly be higher than the cost of outsourcing by the time equipment was purchased and the addition of one more person.

Commissioner Waldahl stated that he felt it sounded like a good idea but the timing was wrong as the County did not know what the Governor was going to cut. He questioned whether a hoist could be put in the current shop for oil changes. Commissioner Waldahl added that the County could not continue spending the way it was as the next thing would be lay offs.

Chairman Schermerhorn questioned the Board as to whether they wanted this item tabled for later review.

Commissioner Waldahl stated that he felt there would be no harm in looking into the offer and suggested Commissioners Bounds and Stearns check into it.

Commissioner Bounds stated that personally he felt that the building would be vacant another year from now and that by taking it over now it would be removed from the tax role.

Mr. Uring stated that it would be very difficult to operate the Highway Department without a mechanic. He added that as far as the building, the site was a natural fit to the Highway Department campus so he would recommend that it went before the Building Services Committee for their review.

Chairman Schermerhorn stated that the issue of the purchase of the Qwest Building would be referred to the Building Services Committee for further review.

Commissioner Bounds commented regarding previous discussion relating to the closing of the Verndale garage versus the Staples garage; when a figure was given on the labor rate; that did not include benefits to that person and when the mileage was figured it was off. He questioned whether Mr. Ulring could put together what it cost to run the motor grader back and forth from Wadena to Verndale to start using the grader. Commissioner Bounds added that there was snow removal that was contracted with the City of Verndale on County roads; he requested a true picture of that the total cost was.

Mr. Ulring agreed to provide the information to the Board.

Mike Carr, Sheriff, came to the Board regarding Out-of-County Boarding costs. He stated that the previous year he had worked with the Crow Wing and Hubbard County Sheriffs, trying to obtain a better deal; it was \$55 across the board; the previous summer the charge was \$50 per day per prisoner, but it was not settled. Sheriff Carr stated that Crow Wing County had contacted him stating that they would charge Wadena County \$46 per day for 5 beds; he then contacted Hubbard County who informed him that they would match the \$46. He added that by estimating the contracting of 8 to 10 beds in 2009 the savings to the County would be around \$26,000.

The Board thanked Sheriff Carr for the positive information.

Shawn Larsen, Morris Electronics, and Kyra Ladd, County Attorney, came before the Board. Ms. Ladd informed the Board that Ms. West had forwarded to her from Mr. Larsen, the Contract for Services for the duration of the absence of Kevin Stensrude, MIS Director; March 1, 2009 through October 31, 2009. She stated that she had reviewed the contract and related that some of the information presented by Mr. Stensrude was not articulated in the original draft. Ms. Ladd pointed out that one area that was not made clear was if there were to be a catastrophe in the Wadena area and Mr. Larsen would have to come and spend a week, that he would be paid at a rate of \$60.00 per hour plus expenses consistent with the County Policy; that amount would have to come before the Board first before they could sign off on the number of hours for the needed repair.

Mr. Larsen stated that he felt everything was consistent as agreed upon and if a catastrophe were to come up, this change clearly defined in print how this would be handled with Board approval. He suggested that since he would be at the County two days per month he could be present on a Board day a provide a 15 minute update to the Board with respect to IT.

Motion by Stearns, seconded by Miller, to approve the Contract for Services with Morris Electronics during the absence of the MIS Director from March 1, 2009 through October 31, 2009 and authorize the Board Chairman, Auditor/Treasurer and County Attorney to sign the Contract,

Rin Porter, Verndale Sun, questioned if there were a catastrophe would there have to be a Board Meeting before Mr. Larsen could do anything about it.

Mr. Larsen responded that the Contract had a built in safety-net of an amount of time not to exceed 20 hours, in addition to the two visits, and in the event of a catastrophic event he would immediately be able to proceed under the current contract well within the additional 20 hours.

Ms. Ladd commented that this would not have to come before a regular Board Meeting if it were an emergency; it would qualify as an emergency mandate for the Board to convene a Meeting and the requirements for such a Meeting was different.

Motion carried.

Ms. Ladd commented regarding the second issue of the compensation scheme involving Mr. Stensrude's duties partly being contracted out and partly being shared by two of the MIS office staff during his absence. She stated that she had conversations with Mike Gibson, HR Consultant, since union contracts were involved and they had come up with some items that were considered concerns:

- 1) There are a portion of duties that are covered by Contract which was unlike other situations when other Department Heads were absent and the duties were absorbed by other employees, but not temporary contracted services being put in place.
- 2) Mr. Stensrude was requesting that the duties be shared between two persons instead of one; there would be the possibility of someone being temporarily appointed a Department Head. Mr. Stensrude was in a supervisory position that exempted him from the union, apart from persons who were a part of the union.
- 3) The persons involved were both part-time employees, which was a problem as the request was that they be paid more per hour, but will not be working more hours, yet they would be doing more duties; there was something that did not flow from that.

Ms. Ladd referred the conversation to Mr. Gibson stating that there were some collateral consequences, depending on what the Board decided, as it related to other County employees.

Mr. Gibson commented referring what was in the Contract, over a period of 10 days if an employee was requested to work at a different level than normal, then the contract stated that the employee would be paid at that level. Mr. Gibson stated that he was questioned whether giving the two employees a higher pay would lead into the "Me Too Clause", meaning that if anyone was paid extra money, elected or otherwise, then everyone would receive the same increase. He pointed out that if the employee went to the higher level they would be out of the Union Contract as a Department Head. Mr. Gibson added that he felt the next step would be to list how their job duties changed; were the employees just doing more of their normal job duties or was there a higher level of duties anticipated from them. He pointed out that the second issue would be that it would not affect the number hours they worked, but what occurs was that if the Board approved the \$400 per pay period for each employee the less senior employee that works less hours would receive a \$6.25 hourly rate, the more senior employee at \$5.56 per hour; the Board needed to justify this situation. He stated that he had talked with Joanne Derby, Business

Agent/Local 320, who advised that this Department was critical to the County, and these employees would have to take on more responsibility, so there should be a change in their hourly wage; if this did not occur there would be a grievance filed. Mr. Gibson pointed out that it would have been better to take care of this situation prior to Mr. Stensrude making a proposal to the Board.

Commissioner Miller questioned Mr. Larsen as to what he felt the percent of responsibility increase would be.

Mr. Larsen responded that if equitable hours of what he was contracted to do were used he would be assisting Wadena County less than 10 percent of the hours that Mr. Stensrude worked, which would mean that 90 percent of the duties would be born by the other employees; however, he was not sure whether that was a fair assessment. He commented that his duties were to provide business continuity and that there were some inherent flaws in the way the roles were split as it involved 80% and 90% time staff people. Mr. Larsen added that Mr. Stensrude's thoughts were that during his absence there would be the recognition that the IT Director role had inherent responsibilities, stresses and accountability within the County that in his absence were going to be carried by the two employees. He pointed out that this was an unprecedented situation as there was not a lot of time to plan and distribute duties better.

Mr. Gibson stated that in regard to precedence, the only role he was taking was in regard to the fact that there was a Union Contract and had no preference as to how this was handled. He added that there were times when Department Heads had to be gone weeks at a time because of the armed forces. Mr. Gibson added that the Board did have the option to delegate someone else to oversee some of the duties. He pointed out that the Board did have a Solid Waste employee who they made a Department Head, without increase in pay; that also needed to be considered.

Commissioner Miller questioned how the wages were handled for the Building Services employees during the absence of a Building Services Director. He also questioned whether the employees were union and whether that set precedence.

Ms. West responded that each employee was in the union and paid \$125 per week during the absence of a Building Services Department Head.

Ms. Ladd stated that the difference was that the Building Services employees were full-time employees, which was different from the MIS staff.

Commissioner Waldahl pointed out that there were no contracted services being paid for in the absence of a Building Services Director and the Board added another person for the MIS Department.

Cody Yglesias, Building Services Employee, stated that they did not have contracted services, but if there was a need they could contract out.

Commissioner Waldahl pointed out that the Board did not hire another person to oversee the

Building Services Department; in the MIS situation, the Board hired another person to oversee MIS.

Mr. Larsen questioned Mr. Yglesias if he could estimate the amount of money involved in contracting out for the services they could not complete.

Mr. Yglesias responded that he did not have a dollar figure. He added that they would contract out electrical work.

Commissioner Waldahl stated that he felt that this would be normal to contract out electrical work.

Mr. Yglesias responded that it would not necessarily be normal as there probably would be two electricians instead of one. He stated that he agreed this was a different situation but felt Mr. Stensrude's intention in having Mr. Larsen hired was to save money.

Commissioner Waldahl stated that his biggest concern was the union contract with the "Me Too Clause" in it as it could end up costing the County large amounts of money.

Commissioner Stearns questioned if the two MIS employees were taken out of the union and made temporary supervisory employees, would the "Me Too Clause" not apply.

Mr. Gibson responded that he had check with outside labor counsel who advised that if the Board would delegate authority just to try to avoid the "Me Too Clause" the County would greatly be at risk, but if the Board would make them Department Heads, they would not be covered by the union. He questioned the Board whether they would delegate the authority to them that would justify them to be Department Heads; what increased responsibilities would the Board give the individuals.

Commissioner Stearns commented that if the Board did delegate them Department Heads then they would not receive overtime.

Ms. Ladd replied that there would not be overtime, but pointed out that the Board did not have any Co-Department Heads in any Department in the County. She added that in a perfect world there would be one person acting as the temporary Department Head during Mr. Stensrude's absence. Ms. Ladd stated that she had questioned Mr. Stensrude on how he arrived at \$400, as the union contract indicated that if an employee was going to be paid to do something that was longer than 10 days, then it was at the pay scale of the employee they were covering for. She stated that he responded that he did not use the contract wording but chose an amount he felt was fair.

Board discussion was held as to how Mr. Stensrude might have calculated the \$400 stipend for the two MIS employees.

Mr. Gibson pointed out that the Board would need to justify the figures as they would have to defend the logic in the calculation, but there was no logic. He pointed out that it may get expensive to defend the logic.

Commissioner Bounds questioned whether the problem would be solved by increasing Morris Electronics contract to be in the County once per week and not compensate the employees.

Mr. Larsen stated that it may be argued that the employees were bearing the Department Head responsibilities no matter how much time he spent in the office. He added that he agreed with the necessity to articulate where the figures came from, which was a problem in itself. Mr. Larsen pointed out that he felt Mr. Stensrude's intent was what he felt was appropriate and was trying to do the right thing without understanding all the implications and ramifications. He questioned whether the Board could authorize two temporary positions, union in nature, to supplement in the absence of the MIS Director, not Co-Department Heads, but two new positions and establish some salary based upon that.

Ms. Ladd responded that this was not a possibility as it was a supervisory role; this would be a position that had not been created by Wadena County and did not exist.

Mr. Gibson questioned whether someone could define what duties the employees were doing now that had been in the scope of practice i.e. duties that Mr. Stensrude would do; they may be duties that Mr. Stensrude had that were within the scope of practice of the two employees currently; they may have to work more hours at their regular rate of pay, but no one had defined that; what would Mr. Stensrude do as a Department Head that may be placed on the two employees. He added that if it were just a matter of someone overseeing when there were difficulties, they could just go to another Department Heads to oversee. Mr. Gibson further questioned what extra increase in knowledge was needed to continue the work.

Chairman Schermerhorn and Commissioner Waldahl recommended deferring this situation to Ms. Ladd and Mr. Gibson.

Commissioner Bounds stated that Mr. Gibson no longer worked for Wadena County.

Commissioner Waldahl responded that Mr. Gibson was still working with union contracts and this situation involved the contracts.

Ms. Ladd stated that in talking with Mr. Gibson, the risk was undoing a lot of what had been done up to date with the union contracts, which she had not been involved in. She pointed out that she was not advocating one option over another but she wanted the Board to have a global perspective as it related to how the Board addressed the situation as well as the consequences based on the things the Board had already approved. Ms. Ladd added that perhaps the Liaison for the MIS Department could gather information and explore additional duties.

Commissioner Waldahl stated that he favored the idea of another Department Head being the overseer.

Commissioner Miller stated that he felt it was absolutely impossible to place a figure on the issue so it could be assumed the employees would receive a bonus once Mr. Stensrude returned so then there would be information to base it on.

Ms. Ladd pointed out that there was a job description of Mr. Stensrude's duties, which were supervisory and management, as well as duties also being performed by the employees and put a percentage of time allocated to the duties.

Mr. Gibson stated that he had some concern over a decision of compensation at the end of the eight months; that in all fairness to the employees, he felt they needed to know a decision now.

Chairman Schermerhorn stated the consensus of the Board was for Commissioner Miller as MIS Liaison, Ms. Ladd and Mr. Gibson discuss this further.

Mr. Gibson stated that he felt he would be able to work it in within the perimeters set for him.

Diane Leaders and Dana Patsy, Ottertail Wadena Community Action (OTWCAC), came to request the Board's signature on a Resolution regarding Family Services for which they were seeking a support grant which would not be an expense to the County.

Ms. Leaders informed the Board that they worked with the Family Services Department and Ms. Patsy managed the emergency services of the program. She added that OTWCAC was a federally mandated service in Otter Tail and Wadena County which assisted low income and impoverished families. Ms. Leaders stated that the Resolution they were requesting the Board to sign would double the amount of funds they currently receive to provide emergency services; this grant would be applied for through Mahube Community Council partnering so there would be a greater chance of receiving it. She pointed out that the application was for \$100,000 over a period of two years.

Chairman Schermerhorn questioned what counties were covered by Mahube Community Council.

Ms. Patsy responded that the counties of Mahnomen, Hubbard and Becker were served by Mahube Community Council and by partnering with them, who had been involved with the grant for about eight years, there was a significantly greater chance of receiving the funding.

RESOLUTION

Supporting the Family Homeless Assistance and Prevention Program Grant Application
Submitted by Otter-Tail Wadena Community Action Council, Inc.

Commissioner Waldahl offered the following resolution and moved for its adoption:

WHEREAS, Wadena County has a commitment to establish a collaborative and comprehensive system for addressing the housing needs of families, youth and single adults who are homeless,

or imminently at risk of becoming homeless; and

WHEREAS, Wadena County recognizes that there is a need to continually improve the coordination of existing services currently made available by homeless service providers in Wadena County to assure a “continuum of care”; and

WHEREAS, Wadena County recognizes the need to stabilize and maintain in their homes, families, youth and single adults at risk of becoming homeless; and

WHEREAS, Wadena County recognizes the need to shorten the amount of time that families, youth and single adults stay in emergency shelters; and

WHEREAS, Wadena County recognizes the need to eliminate repeat use of emergency shelters by families, youth and single adults; and

WHEREAS, Wadena County recognizes the need to provide support services to homeless and high risk populations.

NOW THEREFORE BE IT RESOLVED, by the Wadena County Board of Commissioners, that they support Otter Tail-Wadena Community Action Council, Inc., in Application to the Minnesota Housing Finance Agency.

Commissioner Bounds second the motion and the same carried.

Passed by the Wadena County Board of Commissioners this 3rd day of March, 2009.

Chairperson, Wadena County Commissioners

Commissioner Miller questioned how many homeless were in Wadena County.

Ms. Leaders responded there were actually only two people in Wadena County that were determined to be homeless and in Otter Tail County there were nineteen.

Ms. Patsy pointed out that HUD had a very specific definition of homeless; they had to be in places not meant for human habitation such as cars, tents or on the street or people who were without one utility.

Commissioner Waldahl question regarding the two homeless in Wadena County, what were they without.

Ms. Patsy responded that they were without a utility such as water, heat or electric; telephone or TV service was not considered a utility in this definition.

The Board recessed at 10:50 a.m.

The Board reconvened at 11:05 a.m.

Sean Uselman, Building Services Director, came to the Board and advised that the Management Team had met February 25th and finalized a space needs proposal for the Board's review. He distributed handouts indicating what offices were moving were and a cost for each move. Mr. Uselman pointed out that there were changes in the cost of moving Probation to Zoning for a total of \$4,150 for a total cost of \$86,082.

Ms. West read the Management Team's recommendations addressing space needs including the following topics:

- County Board Room would be relocated to the County Auditorium- minor cosmetic updates in paint, carpet & ceiling as well as incorporation of the sound system. Purchase of new accommodations for the Board seating as well as stackable seating for meetings. This would provide a larger meeting area for County Board meetings that would also be conducive of other County meetings/public hearings. Divider wall for Auditorium would be priced out – if affordable it would provide two smaller meetings rooms when needed.

Commissioner Stearns questioned whether the cost of the divider wall had been included in the cost estimate.

Mr. Uselman responded that it had not been included as it was just added to the recommendation. He pointed out that the estimated cost of the divider wall was \$10,000 to \$12,000.

- Relocate ITV to the Small Court Room – eliminate the large screen TV in exchange for a smaller wall mounted screen with additional costs for wiring/connections.

Chairman Schermerhorn questioned whether there was a need to eliminate the large screen TV.

Bev Mickelson, Court Administrator, responded that the current TV was too large for the Small Court Room.

Further discussion was held as to the limited space in the Small Court Room and the cost of a smaller flat screen TV was currently much less. It was pointed out that the replacement would be a County expense and that the State had purchased the current ITV; \$2,200 for the purchase of the new TV needed to be included in the total project expense.

- MIS Office space for Personnel would be relocated to the current Board Room – Purchase of portable partition walls or construction of partition walls for the MIS Director's work area as well as minor cosmetic updates to the ceiling and carpet.

Chairman Schermerhorn questioned whether there would still be room in the current Board Room for additional uses.

Mr. Uselman responded that this move was recommended to occur in the second phase of the relocations so this consideration had not been given yet.

- Relocation of the Extension Office to the area known as “the sign room” at the Highway Department – Would require some construction of partition walls with sound barriers and other cosmetic features, windows and an outside access for the public and the Extension employees. All cosmetic features would need to be addressed such as; flooring/carpet, ceilings, lighting and paint. It would require additional computer hookups and phone lines to accommodate the Extension staff.

Commissioner Bounds questioned whether the Extension Office needed the entire sign room.

Mr. Uselman responded that they would be using three quarters of the room which was comparable to their current office square footage; a reception area would need to be added unlike their current office where the reception area was in the hallway.

Commissioner Bounds questioned why an outside entrance was needed for Extension.

Mr. Ullring responded that in the summer time there would be a large amount of traffic coming in and it would be very disruptive to the Highway Department’s office work; it would be much better for Extension to have their own separate entrance.

- Relocation of the Zoning/Parks Department to the Extension Office – minor cosmetic updates to the ceilings and paint as well as wiring for the large plotter.
- Relocation of the Veteran’s Service Office and Emergency Services Office to the lower level Conference Room – the room would be divided to provide two offices and a waiting area.
- Relocation of Probation to the current Zoning/Parks Department, VSO and ESO Offices - would require incorporation of a service window and counter; however, no other construction was anticipated as these offices were very recently updated. ESO would remain in his office until such time that he could relocate to his new office.
- Relocation of Sheriff’s Administrative Offices to the current location of Probation – would require a protective glass window in the current service window and counter. Cosmetic items such as ceilings and paint could be addressed as well.

Commissioner Waldahl requested clarification whether the \$12,000 divider wall and the ITV in the Small Court Room were included in the total figure of the proposal or did this occur in a different phase.

Mr. Uselman stated that they had not been included in the total as some of those items did not have to occur if one of the other recommendations did not occur.

Ms. West pointed out that if the cost of the additional items were included the total cost would be \$100,282.

Commissioner Bounds questioned whether there would be enough room in the current Board Room, once MIS was moved in, to relocate the Law Library in the space also.

He was informed that moving MIS to the current Board Room was in the second phase and the issue of the Law Library would be addressed at a later date.

Commissioner Miller stated that he had no questions.

Mr. Uselman stated that he felt the construction of the Extension Office at the Highway Department should be hired out due to the scope of work involving high ceilings, etc. He pointed out that he had included lighting and electrical labor costs but most of the estimates included materials only.

Commissioner Bounds stated that he assumed Highway employees would have time to do the work in the winter time because of their abilities and schedule.

Mr. Ulring commented that the time was getting close to prepare for the season ahead and the timing was not good.

Commissioner Waldahl commented that he would like to hear from the Department Heads.

Kathy Langer, Community Corrections Director, commented that she appreciated the opportunity to stay in the Courthouse; they would like the full wall to be made into a half wall for better vision for safety and add a window and counter, which would be coming from the Extension Office as the Zoning Office would not be using it. She pointed out that her Department would be losing square footage but gaining an office so there should be sufficient office space.

Sheriff Carr referred to the possibility of using his current office as a small meeting room that could be used by his office and others; he approved of the proposal for his area.

Dave Anderson, Veteran's Service Officer, stated that Scott McKellep, Emergency Services Officer and he work together well as they could cover for each other in the event of one of them being absent which saved on the expense of a support person. He added that they had checked out the space and everything should fit.

Sheriff Carr pointed out that Mr. Anderson and Mr. McKellep shared a lot of the same equipment.

Bunni Olson, Extension Office Manager, stated that their biggest concern was what would be the best way to let people know where the Extension Office would be; the phone number change caused concern but could be worked out.

Mr. Uselman addressed the Auditorium remodeling, commenting that the carpet, lighting and chairs were all outdated and it would be very conducive to everyone to make the updates at this

time, especially if the Board Room moved to that location.

Commissioner Waldahl questioned Mr. Uselman as to whether he was still working with Mr. McKellep in retaining the Auditorium as a dual purpose room so it could be used in an emergency as the EOC.

Mr. Uselman responded he had and that anything done in the Auditorium would allow of the EOC to continue operation in that space.

Chairman Schermerhorn stated that he felt contracting out the construction at the Highway Department should be considered along with all the remodeling in the Courthouse as it would make it a bigger package; it would be more conducive to receiving more bids and give contractors a chance to do the remodeling in the Courthouse as well; we know it will get done and we will be feeding the local constituents.

Commissioner Bounds and Commissioner Waldahl stated that they agreed with Chairman Schermerhorn's recommendation.

Commissioner Stearns stated that there would have to be requests for bids and that there would need to be some fairly accurate project specifications to bid on; change orders could get quite expensive.

Chairman Schermerhorn questioned whether there were better ways to consider the work to be done; use Sentenced to Serve (STS) and piece meal the project; what were the recommendations from the folks being affected.

Commissioner Stearns asked Mr. Uselman if he would feel confident in drawing up specifications or should this be obtained from an architect.

Mr. Uselman responded that the question was whether the County wished to received bids or quotes.

Mr. Uring responded that they had no problem working with the Extension Office on the Highway remodeling and doing it on quotes.

Mr. Uselman added that it was favorable to have the Highway Department take care of the remodeling at their Department due to that fact that while that was being worked on, the Conference Room could be worked on at the same time.

Motion by Waldahl, seconded by Stearns, to move forward with the building and remodeling set forth in Phase I, as recommended by the Management Team, with funds to come from account #114 County Building Fund, motion carried.

Board Consensus was for Chairman Schermerhorn, Mr. Uring, Mr. Uselman, and Ms. Olson meet and return to the Board within two weeks with a report on the remodeling progress.

Chairman Schermerhorn introduced Phase II and requested comments from Ms. Mickelson in regards to the Law Library.

Ms. Mickelson stated that there was a need to move the Law Library so it would be available to the public, as well as storage for the Court Administrator's Office; storage meaning for more files which would allow for additional room within the office.

Chairman Schermerhorn advised that they would start discussing Phase II in March and hopefully most of Phase I would be done by June.

Kris Huebsch, 4-H Coordinator, came to the Board to introduce herself to the two new Commissioners. She distributed a handout and reviewed with them her activities for spring, which included Leader's Council, After School Adventures in Sebeka, Menahga and Verndale, Share-the-Fun held at Fair Oaks Lodge, with the winner then going to State participation.

Chairman Schermerhorn suggested that Share the Fun be conducted in the northern part of the County where there was a Nursing Home and 4-H Clubs as well.

Ms. Huebsch agreed that the activity could be move around. She further reviewed multiple activities going on and statistics regarding 4-H and County Fair participation.

Ms. West left the Board Meeting due to a previous commitment. Tammy Lupkes, Deputy Auditor/Treasurer resumed the duties of recording of the minutes.

Mike Gibson, Human Resources Consultant, distributed handouts to the Board regarding the General and Essential Unit Union Contracts, which had previously been signed. He stated that one of the new items added to the Contract was the inclusion of the HCSP or Health Savings Program in article 12.4, which he read. Mr. Gibson pointed out that this was at no cost to the County but was a courtesy stating that the County was willing to send the money to that account. He then read article 12.5 which included the phrase "or shall be paid in full" which conflicted with 12.4. Mr. Gibson informed the Board that Joanne Derby, Local #320 Business Agent had called requesting the elimination of this phrase and to replace the Contract page reflecting this. He added that he did not feel comfortable with making the change unless Board approval was received.

Motion by Waldahl, seconded by Miller, to approve the updated General Unit and Essential Unit Union Contracts reflecting the elimination of the wording "or shall be paid in full" stated in article 12.5, as presented by Mike Gibson, HR Consultant, motion carried.

Chairman Schermerhorn closed the Regular Board Meeting at 11:50 a.m. for the purpose of strategizing for the 2009 49'ers Union Negotiations.

Chairman Schermerhorn opened the Regular Board Meeting at 12:40 a.m.

The Board reviewed information from MCIT on a training they were sponsoring titled “Making Difficult Employment Decisions in a Changing Environment” which would be held on March 18, 2009.

Chairman Schermerhorn tabled until the March 19, 2009 Meeting the Thank you to Wadena County Elected Judges, as requested by Ms. West.

Commissioners Reports:

Commissioner Waldahl; Law Library Per Diems- it was questioned whether it was necessary to take the per diems out of the Law Library Budget due to their lack of funds; could it be taken from the regular Commissioner’s Per Diems for Commissioners Waldahl and Miller.

Motion by Stearns, seconded by Waldahl, to approve the Law Library per diem expenditure to be paid out of the County Commissioners Department budget #02, motion seconded.

Commissioner Waldahl; retired Law Library books were being moved out of the Law Library. NJPA Meeting- will be looking for a new CEO for NJPA in 2011. CHAMPS Meeting –update on “Most of Us Campaign” which would be held in Wadena and Menahga. Community Corrections - Hired two part-time crew leaders to help with the STS Program.

Commissioner Bounds; Attended “Making Solid Land Use Decision” meeting which was very good, recommended Planning Commission members attend. Morrison, Todd, Wadena County Health Services Meeting - applying for a grant for approximately \$209,000 to research pesticide drift.

Commissioner Miller; attended the Public Health Meeting referred to by Commissioner Bounds regarding pesticide drift. Otter Tail – Wadena Community Action Council – had an issue with an Auditor overrunning his hours, which he had not advised the Director of; the bill was \$25,000 to \$30,000. They are trying to determine a way to rectify this situation. Still have one home to sell in Wadena and one in Elizabeth.

Commissioner Stearns; Wadena County Soil and Water Conservation District Meeting – First meeting and learned about their activities.

Commissioner Schermerhorn; Perham Resource and Recover Center Meeting-served as alternate for Commission Stearns as he had a previous commitment- had nothing to report.

Commissioner Miller commented that he had talked with Michael Hogan from the Mn/DOT regarding the radio tower – the lady that was against the tower had hired a lawyer; there may be a public meeting regarding the site; basically the tower could not be moved as it would be too close to the Staples air port.

Commissioner Waldahl stated that a Resolution in support of the Regional Radio Board and the ARMOR system had been discussed at the previous Board Meeting and needed to be approved.

Motion by Waldahl, seconded by Stearns, to support the Regional Radio Board Resolution, motion carried.

**RESOLUTION ADOPTING A PLAN
FOR
PUBLIC SAFETY COMMUNICATION WITHIN WADENA COUNTY
Wadena County Resolution No. 2009/03/03**

WHEREAS, it is a basic responsibility of the County to provide for the health and welfare of it's citizens; and

WHEREAS, the Federal Communications Commission (FCC) has issued regulations which require the replacement of wideband Land Mobile Radio (LMR) systems operating in the Very High Frequency (VHF) and Ultra High Frequency (UHF) radio spectrum by 2013; and

WHEREAS, public safety agencies throughout the country, including public safety agencies with Wadena County, have relied upon wideband LMR systems to provide vital public safety communications for law enforcement, fire, emergency medical services, public works, disaster response and other vital government services; and

WHEREAS, the County has worked with the Central Minnesota Regional Radio Board (CMRRB), of which it is participating member, to complete a comprehensive assessment of public safety communication within the County; and

WHEREAS, the County has been presented with a public safety communication assessment (hereinafter "Assessment") conducted by Geo-Comm, Incorporated, which included an assessment of the alternatives that exist for the County to replace the public safety communication infrastructure within the County.

NOW, THEREFORE, BE IT RESOLVED the Wadena County Board of Commissioners hereby accepts the Assessment as an accurate assessment of public safety communication needs within the County and of the alternatives that reasonably exist to replace the public safety communication infrastructure within the County; and

BE IT FURTHER RESOLVED, that the Wadena County Board of Commissioners adopt the Allied Radio Matrix for Emergency Response (ARMOR) participation alternative specified in the Assessment as the most appropriate and best option for the County to replace the current communication infrastructure within the County; and

BE IT FURTHER RESOLVED, that the Wadena County Sheriff (hereinafter "Sheriff") and Wadena County Emergency Management Director (hereinafter "EMD") is instructed to develop, or oversee the development of a participation plan (hereinafter "Plan") for the migration of and participation of county and local governments and public safety agencies located and operating within the County to the ARMOR public safety communication system; and

BE IT FURTHER RESOLVED, that the current VHF radio system be brought in line with FCC mandates by 2013, to fulfill the needs of agencies unable to participate in ARMOR by 2013; and

BE IT FURTHER RESOLVED, the Assessment providing the basis of this action shall be submitted to the CMRRB with a recommendation that the Assessment be incorporated into the CMMRB regional public safety communication plan and that the Sheriff and EMD are authorized to submit the Assessment and the Plan to the CMRRB, to the Minnesota Departments of Transportation, and Public Safety and to the Statewide Radio Board, as mat necessary to gain final approval for the County participation in the ARMOR public safety communication system as provided for in the Plan.

Motion by Commissioner Waldahl, seconded by Commissioner Stearns, read and passed this 3rd day of March, 2009.

WADENA COUNTY BOARD OF COMMISSIONERS

Charleen West, Auditor/Treasurer

David Schermerhorn, Chairman

Commissioner Stearns pointed out that during the Social Services Board Meeting there had been discussion regarding the charging of gas on the gas cards and whether it was required as there appeared to be no savings by using the card. He pointed out that Stoneman Oil reflected a \$.07 cent per gallon savings.

Commissioner Waldahl requested that Mr. Ulring present information regarding the savings from the gas cards at the next Board Meeting.

Motion by Stearns, seconded by Miller, to approve the payment of the Board of Commissioner bills in the amount of \$79,339.56, motion carried.

Chairman Schermerhorn adjourned the Regular Board of Commissioners Meeting at 1:14 p.m.

Charleen West, Auditor/Treasurer

David Schermerhorn, Chairman

Tammy Lupkes, Deputy Auditor/Treasurer